

**Excerpt from the minutes of the April 22, 2013 Meeting of the Agricultural Preserve
Review Committee held at the Veteran's Hall, San Luis Obispo, California**

Nancy Orton: introduces item.

Terry Wahler, staff: Outlines applicant's proposal and notes a correction to the staff report striking references to Los Berros Road and replacing with Lopez Canyon Road. Describes the property and its historical agricultural use as grazing land. Notes that there was a previous nonrenewal of a portion of the property, but that this has no bearing on the current request.

Royce Larson: asks about the portion not being renewed in terms of remaining under land conservation contract.

Terry Wahler, notes there are 5 legal parcels all recognized as legal lots by Certificates of Compliance.

Jennifer Anderson asks if it is land owner initiated. With Mr. Wahler stating yes.

Byron Grant: owner is available for questions.

Irv McMillan: asks about the soils on the property to remain under contract and soils suitability for rangeland (grass production). Mr. Wahler explains that this property is located in the Los Padres National Forest Soil Survey area (Natural Resources Conservation Service) and the Survey lists the soils as Class 7 with no specific information about rangeland suitability as with the soils surveys in other areas of the county. He further notes that when the property first entered into a land conservation contract in 1974 the eligibility standards did not include the "moderate to well suited as rangeland" criteria and only 100 acres was required to qualify for a rangeland contract. With this property staff was focusing primarily on compliance with the contract's minimum parcel size of 320 acres (which the remaining 345 acre property would meet) and the continued grazing use of the land. It was also noted that the resolution approving the last (2011) amendments to the Rules of Procedure specifically stated that for purposes of lot line adjustments and partial notices of nonrenewal the new eligibility standards shall not be used.

Irv McMillan explains his abstention is because he feels it is questionable whether or not the remaining property meets the minimum requirements and he opposes the splitting off of parcels from range land properties. He feels that the less acreage there is the less sustainable a cattle operation will be.

Robert Sparling: explains that the original purpose of the Williamson Act is to protect agricultural land from urban encroachment. Over time he feels the APRC is getting further away from the original intent of the Williamson Act. States his concerns about reducing the acreage of rangeland properties under land conservation contracts. Requests more discussion about the agricultural land conservation issues and less focus on the efficiency (of the meeting). Would like more information about the roll call vote in terms of efficiency.

Jim Orton, Deputy County Counsel: states that the Board of Supervisors has in the past requested a section in the staff report explaining the reasons for dissenting members' votes. The roll call vote clarifies the voting record.

Attachment C

Robert Sparling: should have more discussion before an issue is voted on.

Terry Wahler: explains how the minutes are incorporated into the staff report for the Board of Supervisors. Refers to Page 11-3 of the staff report.

Lynda Auchinachie: states that the Review Committee has little discretion in this case because it meets the old rules in effect at the time the contract was entered into.

Byron Grant: explains that the parcel being nonrenewed is physically separate from the rest of the ranch because of a 50-60 foot cliff, he indicates it is not used for cattle grazing due to topography and inaccessibility.

Following the discussion, Jennifer Anderson moved to recommend to the Board of Supervisors that they approve service of a partial notice of nonrenewal of a land conservation contract for the Landau Corporation. This motion was seconded by Lynda Auchinachie, and carried on an 11-1-1 vote with the Environmental Organization Member abstaining and the Public-at-Large member voting “No”.

Irv McMillan: explains his abstention vote is due to his concern about continued eligibility and reducing acreage of rangeland properties.

Robert Sparling: the purpose of the Williamson Act is to protect agriculture from urban encroachment. The Review Committee is becoming too efficient in allowing partial nonrenewal of rangeland. States if the issue of physical separation of the property had been made clearer and discussed before the vote this would have been a consideration in his “No” vote.